

1 HB495
2 116067-2
3 By Representative Holmes (Constitutional Amendment)
4 RFD: Montgomery County Legislation
5 First Read: 04-FEB-10

8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, to allow the
10 Revenue Commissioner in Montgomery County to
11 participate in the Employees' Retirement System in
12 lieu of participating in a supernumerary program or
13 system.
14

15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 Proposing an amendment to the Constitution of
20 Alabama of 1901, to provide that the Montgomery County Revenue
21 Commissioner may participate in the Employees' Retirement
22 System in lieu of participating in a supernumerary program or
23 system.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. The following amendment to the
26 Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 No elected or appointed Revenue Commissioner in
5 Montgomery County may assume a supernumerary office after the
6 effective date of this amendment. Any person who, on the
7 effective date of this amendment, is entitled to participate
8 in a supernumerary program may continue to participate in that
9 supernumerary program, which shall include the assumption of a
10 supernumerary office according to the terms and conditions of
11 the law which established that supernumerary program. The
12 Revenue Commissioner of Montgomery County may participate in
13 the Employees' Retirement System of Alabama upon the same
14 terms and conditions as may be specified by law for any other
15 employee in the same retirement system. The Montgomery County
16 Revenue Commissioner holding office at the time of the
17 ratification of this amendment shall be eligible to purchase
18 service credit in the Employees' Retirement System for the
19 time the official has served in the current office; provided,
20 however, the official shall forego the assumption of a
21 supernumerary office. This amendment does not include a county
22 commissioner, a judge, district attorney, legislator, school
23 board member, or any official elected from a judicial circuit.

24 Section 2. An election upon the proposed amendment
25 shall be held in accordance with Amendment 555 to the
26 Constitution of Alabama of 1901, now appearing as Section
27 284.01 of the Official ReCompilation of the Constitution of

1 Alabama of 1901, as amended, and the election laws of this
2 state.

3 Section 3. The appropriate election official shall
4 assign a ballot number for the proposed constitutional
5 amendment on the election ballot and shall set forth the
6 following description of the substance or subject matter of
7 the proposed constitutional amendment:

8 "Relating to Montgomery County, proposing an
9 amendment to the Constitution of Alabama of 1901, to provide
10 that the Montgomery County Revenue Commissioner may
11 participate in the Employees' Retirement System in lieu of
12 participating in a supernumerary program or system.

13 "Proposed by Act _____."

14 This description shall be followed by the following
15 language:

16 "Yes () No ()."